

SEP 22 2011

JULIA C. DUNN, CLERK
BY: 
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

DONNIE WAYNE SENSABAUGH,)	CASE NO. 7:11CV00444
)	
Petitioner,)	
)	FINAL ORDER
vs.)	
)	
STEPHANIE M. SHORTT, <u>ET AL.</u> ,)	By: James C. Turk
)	Senior United States District Judge
Respondent(s).)	

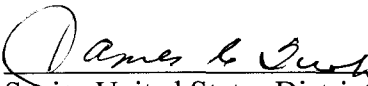
In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, is **DISMISSED** without prejudice, failure to exhaust state court remedies and this action is stricken from the active docket of the court.

Further, finding that petitioner has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c)(1), a certificate of appealability is **DENIED**.

ENTER: This 22nd day of September, 2011.



Senior United States District Judge